

Lynchburg City Circuit Court
FEINMAN, JAMES B

Vs

Case No.:CL15000421-00
TOYOTA MOTOR SALES USA INC

TABLE OF CONTENTS

| Document Index | Date Filed | Page |
|---|------------|---------|
| INITIAL FILING - COM : | 06/02/2015 | 1 - 5 |
| NOTICE - NOT OF FILING REMOVAL | 07/15/2015 | 6 - 12 |
| Correspondence | | 13 - 13 |
| FMS RECEIPTS | | 14 - 14 |
| HENRICO COUNTY - COMPLAINT - REGISTERED AGENT - TOYOTA MOTOR SALES USA INC | 06/03/2015 | 15 - 17 |

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

JUL 20 2015

JULIA C. BUDLEY, CLERK
BY: *F. Coleman*
DEPUTY CLERK

6:15 CV 00019

VIRGINIA: IN THE CIRCUIT COURT FOR CITY OF LYNCHBURG

JAMES B. FEINMAN,
And
LAUREL FEINMAN

Plaintiffs,

v.

TOYOTA MOTOR SALES,
U.S.A., INC.

Please Serve:

Registered Agent:
CT Corporation System
4701 Cox Road, Suite 285
Glen Allen, VA 23060

Defendant.

COMPLAINT

Case No:

CLIS 000421-00

Now into Court, through undersigned counsel, comes James B. Feinman and Laurel Feinman, Plaintiffs, and move the Court for judgment against Defendant Toyota Motor Sales, U.S.A., Inc. on the basis of the following facts and law:

1. On or about December 2, 2013 Plaintiffs purchased a new 2014 Toyota Sienna, VIN 5TDDK3DC6ES074447, from the Defendant's authorized dealer, Berglund Oak Ridge Toyota, in Lynchburg, Virginia. At that time the Defendant knew, or should have known, that the vehicle was intended for use in Virginia. The total price of the vehicle was \$48,693.34.

2. The subject vehicle is a "Lemon" under the Virginia Motor Vehicle Warranty Enforcement Act, Va. Code § 59.1-207.9 et seq because the Defendant is unable to conform the vehicle to the express warranty thereby substantially impairing the value of the motor vehicle. The Plaintiffs' vehicle makes a horrendous noise the manufacturer

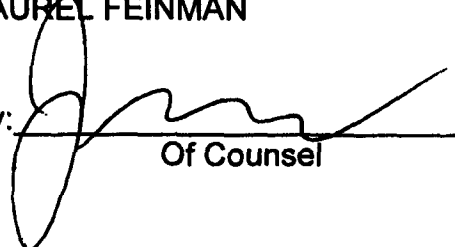
admits it cannot fix. The manufacturer Defendant, Toyota Motor Sales, U.S.A., Inc., is unable to correct or repair the defect. The defects described constitute serious safety defects making the vehicle unsafe to drive. It is unreasonable for the Plaintiffs to continue to own a new car which is a safety hazard to drive while Toyota Motor Sales, U.S.A., Inc. admits it cannot correct or repair the defects.

3. The Plaintiffs seek a judgment for the (1) full contract price, including but not limited to charges for undercoating, dealer preparation, transportation, installed options, plus the non-refundable portions of extended warranties and service contracts; (2) all collateral charges, including but not limited to, sales tax, license and registration fees, and similar government charges; (3) all finance charges incurred by the Plaintiffs, and (4) any incidental damages and monetary consequential damages, including but not limited to loss of use of the vehicle due to its unsafe operating condition. The Plaintiffs also seek attorney fees in the amount of one-third of the amount recovered (33%) or \$400 per hour, whichever is greater.

WHEREFORE the Plaintiffs, James B. Feinman and Laurel Feinman, move the Court for judgment against Toyota Motor Sales, U.S.A., Inc. in the amount of \$75,000.00 plus attorney fees and costs.

Respectfully submitted,

JAMES B. FEINMAN and
LAUREL FEINMAN

By:  _____
Of Counsel

James B. Feinman, Esquire
VSB#: 28125
James B. Feinman, Attorney At Law
1003 Church Street
P.O. Box 697
Lynchburg, VA 24505
(434) 846-7603- telephone
(434) 846-0158- facsimile
jb@jfeinman.com

FILED IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE CITY OF LYNCHBURG
DATE 6-2-15 TIME 3:51 P.M.
TESTE: EUGENE C. WINGFIELD, CLERK
BY: E. Wingfield Dep. Clerk

COVER SHEET FOR FILING CIVIL ACTIONS

COMMONWEALTH OF VIRGINIA

Case No.

(CLERK'S OFFICE USE ONLY)

Lynchburg

Circuit Court

James B. Feinman

v./In re:

Toyota Motor Sales, U.S.A., Inc.

PLAINTIFF(S)

DEFENDANT(S)

Laurel Feinman

I, the undersigned ☐ plaintiff ☐ defendant ☒ attorney for ☒ plaintiff ☐ defendant hereby notify the Clerk of Court that I am filing the following civil action. (Please indicate by checking box that most closely identifies the claim being asserted or relief sought.)

GENERAL CIVIL

Subsequent Actions

- ☐ Claim Impleading Third Party Defendant
☐ Monetary Damages
☐ No Monetary Damages
☐ Counterclaim
☐ Monetary Damages
☐ No Monetary Damages
☐ Cross Claim
☐ Interpleader
☐ Reinstatement (other than divorce or driving privileges)
☐ Removal of Case to Federal Court

Business & Contract

- ☐ Attachment
☐ Confessed Judgment
☒ Contract Action
☐ Contract Specific Performance
☐ Detinue
☐ Garnishment

Property

- ☐ Annexation
☐ Condemnation
☐ Ejectment
☐ Encumber/Sell Real Estate
☐ Enforce Vendor's Lien
☐ Escheatment
☐ Establish Boundaries
☐ Landlord/Tenant
☐ Unlawful Detainer
☐ Mechanics Lien
☐ Partition
☐ Quiet Title
☐ Termination of Mineral Rights

Tort

- ☐ Asbestos Litigation
☐ Compromise Settlement
☐ Intentional Tort
☐ Medical Malpractice
☐ Motor Vehicle Tort
☐ Product Liability
☐ Wrongful Death
☐ Other General Tort Liability

ADMINISTRATIVE LAW

- ☐ Appeal/Judicial Review of Decision of (select one)
☐ ABC Board
☐ Board of Zoning
☐ Compensation Board
☐ DMV License Suspension
☐ Employee Grievance Decision
☐ Employment Commission
☐ Local Government
☐ Marine Resources Commission
☐ School Board
☐ Voter Registration
☐ Other Administrative Appeal

DOMESTIC/FAMILY

- ☐ Adoption
☐ Adoption - Foreign
☐ Adult Protection
☐ Annulment
☐ Annulment - Counterclaim/Responsive Pleading
☐ Child Abuse and Neglect - Unfounded Complaint
☐ Civil Contempt
☐ Divorce (select one)
☐ Complaint - Contested*
☐ Complaint - Uncontested*
☐ Counterclaim/Responsive Pleading
☐ Reinstatement - Custody/Visitation/Support/Equitable Distribution
☐ Separate Maintenance
☐ Separate Maintenance Counterclaim

WRITS

- ☐ Certiorari
☐ Habeas Corpus
☐ Mandamus
☐ Prohibition
☐ Quo Warranto

PROBATE/WILLS AND TRUSTS

- ☐ Accounting
☐ Aid and Guidance
☐ Appointment (select one)
☐ Guardian/Conservator
☐ Standby Guardian/Conservator
☐ Custodian/Successor Custodian (UTMA)
☐ Trust (select one)
☐ Impress/Declare
☐ Reformation
☐ Will (select one)
☐ Construe
☐ Contested

MISCELLANEOUS

- ☐ Appointment (select one)
☐ Church Trustee
☐ Conservator of Peace
☐ Marriage Celebrant
☐ Bond Forfeiture Appeal
☐ Declaratory Judgment
☐ Declare Death
☐ Driving Privileges (select one)
☐ Reinstatement pursuant to § 46.2-427
☐ Restoration - Habitual Offender or 3rd Offense
☐ Expungement
☐ Firearms Rights - Restoration
☐ Forfeiture of U.S. Currency
☐ Freedom of Information
☐ Injunction
☐ Interdiction
☐ Interrogatory
☐ Judgment Lien-Bill to Enforce
☐ Law Enforcement/Public Official Petition
☐ Name Change
☐ Referendum Elections
☐ Sever Order
☐ Taxes (select one)
☐ Correct Erroneous State/Local
☐ Delinquent
☐ Vehicle Confiscation
☐ Voting Rights - Restoration
☐ Other (please specify)

☒ Damages in the amount of \$ 75,000.00 are claimed.

June 2, 2015

DATE

James B. Feinman, Esquire

PRINT NAME

1003 Church Street, Lynchburg, VA 24504

ADDRESS/TELEPHONE NUMBER OF SIGNATOR

(434) 846-7603

jb@jfeinman.com

EMAIL ADDRESS OF SIGNATOR (OPTIONAL)

☐ PLAINTIFF☐ DEFENDANT☒ ATTORNEY FOR☐ PLAINTIFF☐ DEFENDANT

*"Contested" divorce means any of the following matters are in dispute: grounds of divorce, spousal support and maintenance, child custody and/or visitation, child support, property distribution or debt allocation. An "Uncontested" divorce is filed on no fault grounds and none of the above issues are in dispute.

**Civil Action Type Codes
(Clerk's Office Use Only)**

| | | | |
|--|------|---|------|
| Accounting | ACCT | Ejectment | EJET |
| Adoption | ADOP | Encumber/Sell Real Estate | RE |
| Adoption – Foreign | FORA | Enforce Vendor's Lien | VEND |
| Adult Protection | PROT | Escheatment | ESC |
| Aid and Guidance | AID | Establish Boundaries | ESTB |
| Annexation | ANEX | Expungement | XPUN |
| Annulment | ANUL | Forfeiture of U.S. Currency | FORF |
| Annulment – Counterclaim/Responsive Pleading | ACRP | Freedom of Information | FOI |
| Appeal/Judicial Review | | Garnishment | GARN |
| ABC Board | ABC | Injunction | INJ |
| Board of Zoning | ZONE | Intentional Tort | ITOR |
| Compensation Board | ACOM | Interdiction | INTD |
| DMV License Suspension | JR | Interpleader | INTP |
| Employment Commission | EMP | Interrogatory | INTR |
| Employment Grievance Decision | GRV | Judgment Lien – Bill to Enforce | LIEN |
| Local Government | GOVT | Landlord/Tenant | LT |
| Marine Resources | MAR | Law Enforcement/Public Official Petition | LEP |
| School Board | JR | Mechanics Lien | MECH |
| Voter Registration | AVOT | Medical Malpractice | MED |
| Other Administrative Appeal | AAPL | Motor Vehicle Tort | MV |
| Appointment | | Name Change | NC |
| Conservator of Peace | COP | Other General Tort Liability | GTOR |
| Church Trustee | AOCT | Partition | PART |
| Custodian/Successor Custodian (UTMA) | UTMA | Permit, Unconstitutional Grant/Denial by Locality | LUC |
| Guardian/Conservator | APPT | Petition – (Miscellaneous) | PET |
| Marriage Celebrant | ROMC | Product Liability | PROD |
| Standby Guardian/Conservator | STND | Quiet Title | QT |
| Asbestos Litigation | AL | Referendum Elections | ELEC |
| Attachment | ATT | Reinstatement (Other than divorce or driving privileges) | REIN |
| Bond Forfeiture Appeal | BFA | Removal of Case to Federal Court | REM |
| Child Abuse and Neglect – Unfounded Complaint | CAN | Restore Firearms Rights – Felony | RFRF |
| Civil Contempt | CCON | Restore Firearms Rights – Review | RFRR |
| Claim Impleading Third Party Defendant – Monetary Damages/No Monetary Damages | CTP | Separate Maintenance | SEP |
| Complaint – (Miscellaneous) | COM | Separate Maintenance – Counterclaim/Responsive Pleading | SCRP |
| Compromise Settlement | COMP | Sever Order | SEVR |
| Condemnation | COND | Taxes | |
| Confessed Judgment | CJ | Correct Erroneous State/Local | CTAX |
| Contract Action | CNTR | Delinquent | DTAX |
| Contract Specific Performance | PERF | Termination of Mineral Rights | MIN |
| Counterclaim – Monetary Damages/No Monetary Damages | CC | Trust – Impress/Declare | TRST |
| Cross Claim | CROS | Trust – Reformation | REFT |
| Declaratory Judgment | DECL | Uniform Foreign Country Money Judgments | RFCJ |
| Declare Death | DDTH | Unlawful Detainer | UD |
| Detinue | DET | Vehicle Confiscation | VEH |
| Divorce | | Voting Rights – Restoration | VOTE |
| Complaint – Contested/Uncontested | DIV | Will Construction | CNST |
| Counterclaim/Responsive Pleading | DCRP | Will Contested | WILL |
| Reinstatement – Custody/Visitation/Support/ Equitable Distribution | CVS | Writs | |
| Driving Privileges | | Certiorari | WC |
| Reinstatement pursuant to § 46.2-427 | DRIV | Habeas Corpus | WHC |
| Restoration – Habitual Offender or 3 rd Offense | REST | Mandamus | WM |
| | | Prohibition | WP |
| | | Quo Warranto | WQW |
| | | Wrongful Death | WD |

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF LYNCHBURG

JAMES B. FEINMAN, *et al.*,

Plaintiffs,

vs.

TOYOTA MOTOR SALES, U.S.A., INC.,

Defendant.

)
)
)
)
) Civil Case No. **CL-15-421**
)
)
)
)

DEFENDANTS' NOTICE OF FILING OF NOTICE OF REMOVAL

PLEASE TAKE NOTICE that defendant Toyota Motor Sales, U.S.A., Inc. has filed a Notice of Removal in the United States District Court for the Western District of Virginia, Civil Division, thus effecting removal of this case to the District Court in accordance with 28 U.S.C. § 1446(d). A copy of the Notice of Removal, without attachments, is attached hereto as **Exhibit 1**.

PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. § 1446, the filing of the Notice of Removal in the United States District Court for the Western District of Virginia, together with the filing of that Notice with the Clerk of this Court, effects the removal of the above-captioned case to the United States District Court, and this Court may proceed no further unless and until the case is remanded.

PLEASE TAKE FURTHER NOTICE that the Clerk of this Court is requested to promptly deliver to the Clerk of the Court of the United States District Court for the Western District of Virginia, Lynchburg Division, all papers now in the original Circuit Court file.

Respectfully submitted,




William D. Ledoux, Jr. (VSB # 71198)
ECKERT SEAMANS CHERIN & MELLOTT, LLC
919 East Main Street, Suite 1300
Richmond, VA 23219
Tel: (804) 788-7765
Fax: (804) 698-2950
wledoux@eckertseamans.com
Counsel for Defendant,
Toyota Motor Sales, U.S.A., Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, First-Class postage prepaid, this 10th day of July, 2015 to the following counsel for Plaintiffs:

James B. Feinman, Esq.
P.O. Box 697
Lynchburg, VA 24505
Counsel for Plaintiff


William D. Ledoux, Jr. (VSB # 71198)
ECKERT SEAMANS CHERIN & MELLOTT, LLC
919 East Main Street, Suite 1300
Richmond, VA 23219
Tel: (804) 788-7765
Fax: (804) 698-2950
wledoux@eckertseamans.com
Counsel for Defendant,
Toyota Motor Sales, U.S.A., Inc.

FILED IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE CITY OF LYNCHBURG

DATE 7/15/15 TIME 10A M.
TESTE: EUGENE C. WINGFIELD, CLERK

BY: JAMM Dep. Clerk 

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Lynchburg Division

JAMES B. FEINMAN,

and

LAUREL FEINMAN,

Plaintiffs,

v.

TOYOTA MOTOR SALES, U.S.A., INC.,
19001 S. Western Avenue,
Torrance, California 90501,

Defendant.

Civil Action No. 015000421

DEFENDANT'S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1441 *et seq.* Defendant Toyota Motor Sales, U.S.A., Inc.

("TMS") hereby removes to this Court *James B. Feinman and Laurel Feinman v. Toyota Motor Sales, U.S.A., Inc.*, Civil Case No. CL-15-421, from the Circuit Court for the City of Lynchburg, Virginia, based upon diversity jurisdiction on the following grounds:

1. On June 2, 2015, Plaintiffs filed a complaint in the Circuit Court for the City of Lynchburg, Virginia, naming TMS as the sole defendant in the action (the "complaint").
2. TMS was served with a summons and a copy of the complaint on or about June 10, 2015, true and correct copies of which are attached as Exhibit 1.
3. This Notice of Removal is filed within thirty (30) days of service of the complaint upon TMS and, therefore, removal of this action is timely pursuant to 28 U.S.C. §1446(b).

4. TMS is a California corporation with a principal place of business in California and, therefore, is a citizen of California for purposes of diversity jurisdiction pursuant to 28 U.S.C. § 1332(c)(1).

5. Plaintiffs are each individuals who reside in Lynchburg, Virginia, and are a citizen of Virginia for purposes of diversity jurisdiction pursuant to 28 U.S.C. § 1332(a).

6. The amount in controversy exceeds \$75,000.00 because Plaintiff seeks monetary damages of \$75,000 plus statutory attorney's fees and costs. *See* Exhibit 1, Compl. *ad damnum*, and at ¶¶ 1, 3 (alleging actual damages of full contract price of \$48,693.14, plus collateral charges, finance charges, incidental and consequential damages, loss of use damages, and seeking attorney's fees in the greater amount of either 33% of damages or \$400 per hour).

7. Under the Virginia Motor Vehicle Warranty Enforcement Act: "Any consumer who is successful in [a lawsuit to enforce the Act] ... shall recover reasonable attorney's fees, expert witness fees and court costs incurred by bringing such actions." Virginia Code § 59.1-207.14 (emphasis added).


8. If plaintiffs prevail in this action for the \$75,000 they claim as damages, they will also be awarded reasonable attorney's fees as required by the applicable warranty enforcement statute, such that the amount in controversy as a matter of law exceeds \$75,000 in this action. *See Francis v. Allstate Insur. Co.*, 709 F.3d 362, 368 (4th Cir. 2013).

9. This Court has subject matter jurisdiction over the complaint pursuant to 28 U.S.C. § 1332(a)(1) because the parties are citizens of different states and the amount in controversy exceeds \$75,000.

10. Copies of all process, pleadings, and orders served upon TMS are attached hereto as Exhibit 1 in accordance with 28 U.S.C. § 1446(a).

11. Pursuant to 28 U.S.C. § 1446(d), counsel for TMS will promptly file a copy of this notice of removal with the Circuit Court for the City of Lynchburg, Virginia.

Respectfully submitted,




William D. Ledoux, Jr. (VSB # 71198)
ECKERT SEAMANS CHERIN & MELLOTT, LLC
919 East Main Street, Suite 1300
Richmond, VA 23219
Tel: (804) 788-7765
Fax: (804) 698-2950
wledoux@eckertseamans.com
*Counsel for Defendant,
Toyota Motor Sales, U.S.A., Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Notice of Removal was mailed, First-Class postage prepaid, this 9th day of July, 2015 to the following counsel for Plaintiffs:

James B. Feinman, Esq.
P.O. Box 697
Lynchburg, VA 24505
Counsel for Plaintiff



William D. Ledoux, Jr. (VSB # 71198)
ECKERT SEAMANS CHERIN & MELLOTT, LLC
919 East Main Street, Suite 1300
Richmond, VA 23219
Tel: (804) 788-7765
Fax: (804) 698-2950
wledoux@eckertseamans.com
Counsel for Defendant,
Toyota Motor Sales, U.S.A., Inc.

FILED IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE CITY OF LYNCHBURG

DATE 7/15/15 TIME 10A M.
TESTE: EUGENE C. WINGFIELD, CLERK

**ECKERT
SEAMANS**
ATTORNEYS AT LAW

Eckert Seamans Cherin & Mellott, LLC
SunTrust Center, Suite 1300
919 East Main Street
Richmond, VA 23219

TEL: 804 788 7740
FAX: 804 698 2950

Johnell D. Ferrell
Legal Assistant to
William D. Ledoux, Jr.,
804.788.7769
jferrell@eckertseamans.com

July 10, 2015

Hon. Eugene C. Wingfield, Clerk
LYNCHBURG CIRCUIT COURT
P.O. Box 4
Lynchburg, Virginia 24505

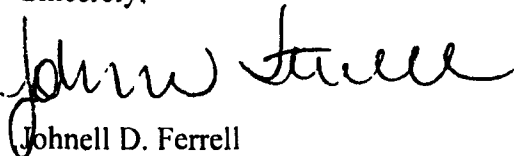
Re: James B. Feinman and Laurel Feinman v. Toyota Motor Sales, U.S.A., Inc.
Civil Case No.: CL15000421-00

Dear Mr. Wingfield:

Enclosed please find for filing Defendant's, Toyota Motor Sales, U.S.A., Inc., Notice of Filing of Notice of Removal as it relates in the above-referenced civil matter.

Should you have any questions or concerns, please do not hesitate to contact our office directly.

Sincerely,



Johnell D. Ferrell
Legal Assistant to William D. Ledoux, Jr., Esquire

Enclosures

cc: James B. Feinman, Esquire

FILED IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE CITY OF LYNCHBURG

DATE 7/15/15 TIME 10A M.
TESTE: EUGENE C. WINGFIELD, CLERK

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT

LYNCHBURG CIRCUIT COURT CIVIL

DATE: 06/02/15 TIME: 15:51:00 ACCOUNT: 680CL15000421-00 RECEIPT: 15000010029

CASHIER: ECW REG: LZ17 FILING: COM TYPE: FULL PAYMENT

CASE COMMENTS: FEINMAN, JAMES B V. TOYOTA MOTOR SALES USA

SUIT AMOUNT: \$75,000.00

ACCT OF: FEINMAN, JAMES B

RECD: FEINMAN, JAMES B

CHECK: \$248.00 60589

DESCRIPTION 1: PLAINTIFF: FEINMAN, JAMES B

2: NO HEARING SCHEDULED

| CODE | DESCRIPTION | PAID | CODE | DESCRIPTION | PAID |
|------|---------------------|--------|------|-------------------|-------|
| 304 | CLERK CIVIL FEE | 190.00 | 049 | WRIT TAX - CIVIL | 15.00 |
| 106 | TECHNOLOGY TRST FND | 5.00 | 123 | LEGAL AID FEE | 9.00 |
| 147 | INDIGENT ASSISTANCE | 1.00 | 170 | COURT TECH FUND | 10.00 |
| 219 | LAW LIBRARY | 4.00 | 229 | LYNCHBURG CITY OF | 2.00 |
| 228 | CHCF | .00 | 206 | SHERIFF FEES | 12.00 |

TENDERED : 248.00

RECEIPT COPY 1 OF 2

CHANGE AMT : .00

CLERK OF COURT: EUGENE C. WINGFIELD

COMMONWEALTH OF VIRGINIA



LYNCHBURG CIRCUIT COURT
Civil Division
900 COURT STREET P. O. BOX 4
LYNCHBURG VA 24505
(434) 455-2620

Virginia:
In the LYNCHBURG CIRCUIT COURT

Proof of Service

Case number: 680CL15000421-00
Service number: 001
Service filed: June 02, 2015
Judge:

Served by: HENRICO COUNTY
Style of case: JAMES B FEINMAN vs TOYOTA MOTOR SALES USA INC
Service on: TOYOTA MOTOR SALES USA INC
REGISTERED AGENT
CT CORPORATION SYSTEM
4701 COX RD STE 285
GLEN ALLEN VA 23060

Attorney: FEINMAN, JAMES B; ESQ
1003 CHURCH ST
LYNCHBURG VA 24504

2827765

Instructions:

Returns shall be made hereon, showing service of Summons issued Wednesday, June 03, 2015 with a copy of the Complaint filed Tuesday, June 02, 2015 attached.

Hearing date :

Service issued: Wednesday, June 03, 2015

For Sheriff Use Only

FILED IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE CITY OF LYNCHBURG
DATE 6/18/2015 TIME 10:02A M.
TESTE: EUGENE C. WINGFIELD, CLERK

BY: JMM Dep. Clerk JMM

RECEIVED
2015 JUN - 9 A 8:33
HENRICO SHERIFF OFFICE

| | |
|---|--|
| <p>NAME AND ADDRESS NAME <u>SAME AS FRONT</u></p> | <p><input type="checkbox"/> PERSONAL SERVICE</p> <p><input type="checkbox"/> Being unable to make personal service, a copy was delivered in the following manner:</p> <p><input type="checkbox"/> Delivered to person found in charge of usual place of business or employment during business hours and giving information to its purport.</p> <p><input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above giving information of its purport. List name, age of recipient and relation of recipient to party named above.</p> <p><input type="checkbox"/> Posted on the common door of usual place of abode, address listed above. (Other authorized recipient not found.)</p> <p><input type="checkbox"/> Copy mailed to judgment debtor on date below after serving the garnishee unless a different date is shown below.</p> |
| <p><input checked="" type="checkbox"/> Evicted <input type="checkbox"/> Not Evicted</p> <p><input checked="" type="checkbox"/> Served on registered agent <u>his/her</u></p> <p><input type="checkbox"/> Not found</p> <p><input type="checkbox"/> NO EFFECTS FOUND</p> | <p>DATE <u>6-10-15</u></p> <p>FOR: Sheriff Michael L. Wade Henrico County, Virginia</p> |

FILED IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE CITY OF LYNCHBURG

DATE 6/18/2015 TIME 10:02A M.
TESTE: EUGENE L. GFIELD, CLERK

BY: JMM Dep. Clerk JM

Service Authorization CT Corporation System

CT Corporation System ("CT") is registered agent for service of process for numerous corporations and similar entities. CT receives the process only in its capacity as a commercial registered agent. The individuals designated below are employees of CT Corporation System and in receiving the process, do so only on CT's behalf and in CT's capacity as registered agent.

PLEASE NOTE: The Code of Virginia §§ 13.1-634 provides in part

"Registered office and registered agent

A. ...

B. The sole duty of the registered agent is to forward to the corporation at its last known address any process, notice or demand that is served on the registered agent."

As such, neither CT Corporation System, nor its individual employees designated below, have the duty or the ability to respond to any legal process, notice or demand that is served on CT's clients.

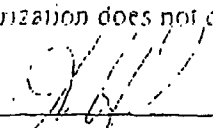
The following natural persons are designated in the office of the registered agent upon whom any process, notice or demand may be served:

Lisa Uneck

Kane Bush

Teresa Brown

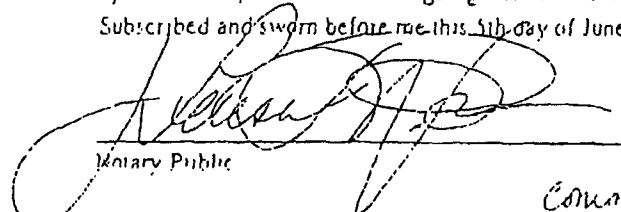
This authorization does not certify the receipt or acceptance of any specific process.



Lisa Uneck
Corporate Operations Manager
CT Corporation System

State of Virginia
County of Henrico

This day personally appeared before me, Lisa Uneck, who name is signed above and who, being first duly sworn, state that the foregoing Affidavit is true to the best of her knowledge and belief.
Subscribed and sworn before me this 5th day of June, 2014.



Notary Public

#286304

Comm exp. 8/31/17

FILED IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE CITY OF LYNCHBURG

DATE 6/8/2015 TIME 10:02A.M.
TESTE: EUGENE C. WINGFIELD, CLERK

BY: JMM Dep. Clerk 

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

JAMES B. FEINMAN,

and

LAURA FEINMAN,

Plaintiffs,

v.

TOYOTA MOTOR SALES, U.S.A.,
INC.,

Defendant.

Case No. 6:15CV00019

State Court No. CL15000421-00

ORDER

This case was recently removed from the Circuit Court for the City of Lynchburg ("your Court") to the United States District Court for the Western District of Virginia at Lynchburg.

This court finding it necessary and proper to do so, it is hereby REQUESTED that the original case file in your Court be forwarded to the Clerk of this court at 1101 Court Street, Lynchburg, Virginia 24504.

The Clerk is directed to send a copy of this Order to the Clerk of the Circuit Court for the City of Lynchburg.

ENTERED: 7/14/2015

/s/ Elizabeth K. Dillan

United States District Judge

FILED IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE CITY OF LYNCHBURG
DATE 7/17/15 TIME 2:00P M.
TESTE: EUGENE C. WINGFIELD, CLERK
BY: RHS Dep. Clerk

A TRUE COPY, TESTE:
JULIA G. DUDLEY, CLERK
BY: Carrie Amos
DEPUTY CLERK